

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION

CHARLES STEWART

CIVIL ACTION NO.05-0416-P

versus

JUDGE HICKS

RICHARD STALDER, ET AL.

MAGISTRATE JUDGE HORNSBY

MEMORANDUM ORDER

The court has now resolved all outstanding dispositive motions. Both parties have requested a jury trial. Accordingly, it appears that a jury trial before Judge Hicks will be necessary to resolve Plaintiff's claims against the remaining defendants.

To prepare for the jury trial, the parties must submit **Pretrial Statements**. On or before **March 2, 2007, Plaintiff** shall file his Pretrial Statement that contains (1) a list of all exhibits he intends to offer into evidence and (2) a list of the names and addresses of all witnesses he intends to call, along with a brief summary of the anticipated testimony of each witness. Plaintiff shall serve a copy of the statement, together with copies of all proposed exhibits, on counsel for Defendants, and he shall include on the original document filed with the Clerk of Court a certificate stating the date that a true and correct copy was mailed to Defendants' counsel.

On or before **March 19, 2007 Defendants** shall file and serve their Pretrial Statement that contains (1) a list of all exhibits they intend to offer into evidence at the hearing and (2)

a list of the names and addresses of all witnesses Defendants intend to call, along with a brief summary of the anticipated testimony of each witness. Defendants shall serve a copy of the statement, together with copies of all proposed exhibits, on Plaintiff, and they shall include on the original document filed with the Clerk of Court a certificate stating the date that a true and correct copy was mailed to Plaintiff.

Failure of a party to list an exhibit or witness in a pretrial statement will result in exclusion of that evidence at the trial absent a showing of manifest injustice to the offering party that outweighs any prejudice to the opposing party.

Failure to file a pretrial statement may result in dismissal or other appropriate sanction. After the statements have been filed, the court will issue further orders regarding the trial date and related proceedings.

THUS DONE AND SIGNED at Shreveport, Louisiana, this the 9th day of February, 2007.



MARK L. HORNSBY
UNITED STATES MAGISTRATE JUDGE